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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,107	11/30/2000	Dean Hiller	11324/10	4526
7590 Shawn W. O'Dowd KENYON & KENYON 333 West San Carlos Street San Jose, CA 95110			EXAMINER KANG, PAUL H	
			ART UNIT 2144	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/728,107

**Applicant(s)**

HILLER ET AL.

**Examiner**

Paul H. Kang

**Art Unit**

2144

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-11, 13-16, 18-21, 23-26, 29, 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Byford et al. (US Patent No. 5,909,671 and Byford hereinafter).

3. As per claim(s) 1,8,15,20,25 Byford discloses a user-specific website where a website request is made for the user-specific website, (See Column 3 Lines 19-30) and at least one phone number is associated with the user-specific website, the system comprising, (See Column 2 Lines 15-35):

a phone call receiving device, (See Column 2 Lines 15-35); and

a phone number detection device, (See Column 2 Lines 15-35);

wherein:

the website request is performed at a system website, establishing a website claim to the user-specific website, (See Column 4 Lines 1-15); and

the website claim is confirmed by calling into the phone call receiving device, where the at least one phone number associated with said user-specific website is verified by the phone number detection device (a controlled access WWW page (user-specific website) is associated

with a user's telephone number used for verification; See Column 3 Lines 1-18 and col. 4, lines 40-58).

4. As per claims 2 and 9 Byford teaches the claimed invention as described in claim(s) 1 & 8 above and furthermore discloses the website claim is completed (i.e., accessed) by acceptance of the user- specific website by phone, (See Column 3 Lines 19-30).

5. As per claims 3 and 10 Byford teaches the claimed invention as described in claim(s) 1-2 & 8-9 above and furthermore discloses the website request is performed by completing an electronic form (i.e., specifying geographic location) at the system website, (See Column 2 Lines 62-67 & Column 3, Lines 1-7).

6. As per claims 4, 11, 16, and 21 Byford teaches the claimed invention as described in claim(s) 1-3, 8-10, 15, 20 above and furthermore discloses the website claim is valid for a pre-defined length of time (i.e., duration of access), (See Column 5 Lines 50-60).

7. As per claims 6, 13, 18, 23, and 26 Byford teaches the claimed invention as described in claims 1-5, 8-12, 15-17, 20-22, 25 above and furthermore discloses the confirmation of the website claim also requires the entrance of a personal identification number, (See Column 2 Lines 50-54).

8. As per claims 7, 14, 19, and 24 Byford teaches the claimed invention as described in claim(s) 1-6, 8-13, 15-18, 20-23 above and furthermore discloses the personal identification number is provided to a user at the system website upon establishing the website claim, (See Column 5 Lines 1-35).

9. As per claim 29 Byford discloses performing a website request at a system website to establish a website claim to the user-specific website, (See Column 3 Lines 15-35); and sending a personal identification number to a phone call data receiving device in response to the website request, (See Column 5 Lines 1-35).

10. As per claim 30 Byford teaches the claimed invention as described in claim(s) 29 above and furthermore discloses completing the website claim by accessing the system website and entering the personal identification number, (See Column 2 Lines 50-54).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 5, 12, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byford in view of Bathrick et al. (US Patent No. 5,280, 581 and Bathrick hereinafter).

13. As per claim 5, 12, 17, and 22 Byford discloses the claimed invention as described above.

However, Byford does not explicitly teach at least one phone number may also be verified by asking a user for the at least one phone number, disconnecting, and calling the user back at the at least one phone number..

Bathrick teaches at least one phone number may also be verified by asking a user for the at least one phone number, disconnecting, and calling the user back at the at least one phone number, (See Column 1 Lines 50-67 & Column 2 Lines 1-17).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to modify the teaching of Byford with the teachings of Bathrick to include at least one phone number may also be verified by asking a user for the at least one phone number, disconnecting, and calling the user back at the at least one phone number with the motivation to provide for permitting the user to remotely change the registered telephone number for himself such that the host computer system can dial-back to the current location of the user., users the call back feature to protect itself from unauthorized intrusion, (See Bathrick Column 2 Lines 17-29).

14. Claims 27, 28, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byford et al. (US Patent No. 5,909,671 and Byford hereinafter) in further view of Einbinder et al. (US Patent No. 5,896,512 and Einbinder hereinafter).

15. As per claims 27, 28, 31, 32 Byford discloses the claimed invention as described above.

However, Byford does not explicitly teach the phone call data receiving device is a call paging device and the phone call data receiving device is a facsimile device.

Einbinder teaches the phone call data receiving device is a call-paging device and the phone call data receiving device is a facsimile device, (See Column 1 Lines 29-50).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to modify the teaching of Byford with the teachings of Einbinder to include the phone call data receiving device is a call paging device and the phone call data receiving device is a facsimile device with the motivation to provide for a network interface card or adjunct module which can reliably allow at least one telecommunications terminal to interact via a single connection with a communication network that carries both the computer data and telecommunications traffic, (See Einbinder Column 1 Lines 62-67); wherein at least one telecommunications terminal is interpreted as being either a call paging device or facsimile device either being network capable or the usual POTS configurable in order to provide the user versatility in obtaining desired information.

### ***Response to Arguments***

16. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection. The applicants argued in substance that the prior art of record fails to teach or suggest a phone number associated with said user-specific website is verified by the phone number detection device. The new grounds of rejection teaches this feature.

***Conclusion***

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul H Kang/  
Primary Examiner  
Art Unit 2144